



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2, 290 Broadway, 17th Floor
New York, NY 10007

Entire doc

Adam C. Arnold, Esq.
Gibbons P.C.
One Gateway Center
Newark, NJ 07102-5310

Re: Freedom of Information Act (FOIA) Request EPA-R2-2014-009615

Dear Mr. Arnold:

This will respond to your Freedom of Information Act ("FOIA") request EPA-R2-2014-009615 seeking documents relating to the LCP Chemicals, Inc. Superfund Site, modified by the subsequent communication dated November 3, 2014. This completes our response.

Previously, on October 24, 2014, EPA sent to you a DVD containing the Administrative Record for the LCP Chemicals, Inc. Superfund Site.

This second and final release, will be uploaded to FOIAonline and includes information responsive to your modified request # (2) for "all documents in the LCP file that refer or relate to E.I. du Pont de Nemours and Company."

EPA is withholding certain responsive information that is exempt from disclosure as set forth on the enclosed withholding log.

You may appeal this denial response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20004.

Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should clearly identify the determination being appealed, including the assigned FOIA request number shown above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal." See 40 C.F.R. §2.104(j) for further information regarding appeals of adverse determinations under FOIA.

Pursuant to 40 C.F.R. § 2.107, EPA will transmit a bill for the costs incurred by EPA in searching our files, reproducing documents, and preparing our response to your FOIA request. You should receive the bill through FOIAonline, along with instructions for payment.

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Please contact Frank Cardiello of my staff at 212-637-3148 if you have any questions concerning this matter.

Sincerely yours,

Eric Schaaf
Regional Counsel

Enclosure

cc: Wanda Calderon
Jacqueline Ferreras-De Jesus

Documents Withheld
FOIA No. EPA-R2-2014-009615

Doc ID	Doc Date	Title	Author Name	Addressee Name	Exemption Explanation	Number of Pages
178484	07/16/2014	Correspondence Regarding Pre-Referral Negotiation Report For the LCP Chemicals Site	Karlen, Delmar, Esq. Cardiello, Frank, Esq.	Shaaf, Eric, Esq. Mugdan, Walter	Exemption 5: attorney-client communications; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories.	16
181742	undated	Recommendation of Priority Level For Further Action For LCP Chemicals, Inc. Site		LCP File	Exemption 5: deliberative process/predecisional and deliberative.	1